IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION ST. NO.11262 OF 2006
IN
APPEAL FROM ORDER NO. 1110 OF 2004

Mulji Chandan & ors. ..Applicants.

V/s.

Anjanikumar Co.(P)Ltd. & Ors. ..Respondents.

Mr.S.M.Sakhardande for H.G.Dharmadhikari for applicants.

Mr.Anil Singh for respondent.

CORAM: A.M.KHANWILKAR,J

DATE : JUNE 12, 2006.

P.C. :

1. Heard counsel for the parties.

2. Grievance of the applicants in substance is that on account of construction activity undertaken by the respondent No.1 and the manner of dumping building construction material on the site, the same is likely to cause water logging in the area, in particular, in front of or around the galas occupied by the applicants. Counsel for the respondent assures that all precautions will be taken to ensure that no water logging takes place in or around the galas occupied by the Applicants on account of construction work or otherwise. In other words, it

is also assured that no material will be dumped in front of the galas or in the nearby area which provides access to the galas till the construction activity undertaken by the respondent NO.1 is in progress.

3. In view of the assurance given by the respondent No.1 through counsel, nothing survives in this application. The same is disposed of accordingly. Assurance given by respondent no.1 is accepted. Liberty to the Applicants to apply, if required.